

PTO/SB-08a (09-06)

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5

**Complete if Known**

Application Number	10/811,343
Filing Date	03-26-04
First Named Inventor	Cook
Art Unit	
Examiner Name	
Attorney Docket Number	003433-000492

**U.S. PATENT DOCUMENTS**

Examiner Initial <sup>1</sup>	Cite No. 1	Document Number		Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	US-3346401		10-10-67	Barat et al.	
	2	US-3649163		03-14-72	McCusker	
	3	US-4193813		03-18-80	Chvapil	
	4	US-4320201		03-16-82	Berg et al.	
	5	US-4394370		07-19-83	Jeffries	
	6	US-4404970		09-20-83	Sawyer	
	7	US-4409332		10-11-83	Jeffries et al.	
	8	US-4472840		09-25-84	Jeffries	
	9	US-4681588		07-21-87	Ketharanathan	
	10	US-4755593		07-05-88	Lauren	
	11	US-4798611		01-17-89	Freeman	
	12	US-4801299		01-31-89	Brendel et al.	
	13	US-4813958		03-21-89	Dixon	
	14	US-4837379		06-06-89	Weinberg	
	15	US-4838888		06-13-89	Nashef	
	16	US-4885005		12-05-89	Nashef et al.	
	17	US-4891359		01-02-90	Saferstein et al.	
	18	US-4969912		11-13-90	Kelman et al.	
	19	US-4976733		12-11-90	Girardot	
	20	US-5024841		06-18-91	Chu et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initial <sup>1</sup>	Cite No. 1	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>8</sup>
		Country <sup>3</sup> Code	Number <sup>4</sup>	Kind Code (if known) <sup>5</sup>				
	21	WO	98/25545		06-18-98	Cook Biotech Inc		

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include of this form with next communication to applicant.

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<b>Examiner Name</b>	
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	22	US-5094661	03-10-92	Levy et al.	
	23	US-5106949	04-21-92	Kemp et al.	
	24	US-5171574	12-15-92	Kuberasampath et al.	
	25	US-5206023	04-27-93	Hunziker	
	26	US-5215541	06-01-93	Nashef et al.	
	27	US-5256418	10-26-93	Kemp	
	28	US-5279612	01-18-94	Eberhardt	
	29	US-5352463	10-04-94	Badyalak et al.	
	30	US-5368608	11-29-94	Levy et al.	
	31	US-5374515	12-20-94	Parenteau et al.	
	32	US-5411887	05-02-95	Sojander	
	33	US-5413791	05-09-95	Rhee et al.	
	34	US-5447536	09-05-95	Girardot et al.	
	35	US-5456693	10-10-95	Conston et al.	
	36	US-5476516	12-19-95	Seifler et al.	
	37	US-5510121	04-23-96	Rhee et al.	
	38	US-5510418	04-23-96	Rhee et al.	
	39	US-5512291	04-30-96	Li	
	40	US-5522840	06-04-96	Krajcek	
	41	US-5693085	12-02-97	Buorne et al.	

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Sheet	3	of	5
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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	10/811,343
				<b>Filing Date</b>	03-26-04
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				<b>Examiner Name</b>	
<b>Sheet</b>	4	of	5	<b>Attorney Docket Number</b>	003433-000492

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initial *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/PP/	45	Acell, Incorporated et al.'s Appeals from the U.S. District Court, ND of Indiana in case No. 4:03CV0046.	
/PP/	46	Badylak, S.F. et al.: "the Use of Xenogeneic Small Intestinal Submucosa as a Biomaterial for Achilles's Tendon Repair in a Dog Model", Journal of Biomedical Materials Research, Vol. 29, No. 8, 1995, pp. 977-985, XP002071882	
/PP/	47	Cobb, M.S. et al.: "Histology After Dural Grafting With Small Intestinal Submucosa", Surgical Neurology, Vol. 46, No. 4, 1996, pp. 389-394, XP00201883	
/PP/	48	Cross Appellant Cook Biotech Incorporated's Brief in Support of Cross-Appeal of Judgment of Non-Willfulness, Invention and No Relief for Infringement, and in Opposition to Appellants' Markman Appeal, U.S. District Court, ND of Indiana in case No. 4:03CV0046.	
/PP/	49	Cross-Appellant Purdue Research Foundation's Brief in Support of Cross-Appeal of Judgment, and in Opposition to Appellants' Markman Appeal, U.S. District Court, ND of Indiana in case No. 4:03CV0046.	
/PP/	50	D Horak et al: "Hydrogels in endovascular embolization. III. Radiopaque spherical particles, their preparation and properties: Biomaterials, GB, Elsevier Sciences Publishers BV., Barking, vol.2, no.8 03/01/1987 pgs.142-145	
/PP/	51	Defendants' Post-Hearing Markman Memorandum, Cook Biotech Incorporated et al. v. ACell et al., USDC ND IN Case No. 4:03CV0046.	
/PP/	52	European Search Report EP 08008810 dated June 27, 2008.	
/PP/	53	European Search Report, Patent Application No. 08012454.8	
/PP/	54	Guideline on Validation of the Limulus Amebocyte Lysate Test as an End-Product Endotoxin Test for Human and Animal Parenteral Drugs, Biological Products, and Medical Devices; December 1987, Prepared by Center for Drug Evaluation and Research, Center for Biologic Evaluation and Research, Center for Devices and Radiological Health, and Center for Veterinary Medicine.	
/PP/	55	Hodde, J.P. et al., "Glycosaminoglycan Content of Small Intestinal Submucosa: A Bioscaffold for Tissue Replacement" Tissue Engineering, Vol. 2, No. 3, 1996, pp. 209-217 XP002063373	

Examiner Signature	Date Considered
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